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09/982,644	10/18/2001	Yuichi Takatsu	65316-0007	8152

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ART UNIT	PAPER NUMBER
3693	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/982,644	TAKATSU, YUICHI
	Examiner	Art Unit	
	Harish T. Dass	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 April 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

    4a) Of the above claim(s) *8-35* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *2/12/03, 2/2/05, 12/13/04*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Examiner's Acknowledgement

Examiner acknowledges receipt of selection of Group I (claims 1-7) with traverse for

examination.

Status of Claims:

Claims 8-35 are withdrawn.

Specification

The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to

preclude a reasonable search of the prior art by the examiner. For example, the

following items are not understood: Entire specification is not clearly written because it

is translation of foreign application where the translated materials does not allow the

Examiner to reasonable search and provide meaningful prior art, specially the world

used for transferring points are not commonly known transaction words for example

"invalidation data", and changing or erasing, when authentication data for authenticating

the first user and an validation instruction that requests to cancel the prohibition of the

transfer of points shown by the second point data associated with the invalidation data

are supplied to the processor and the first user is authenticated based on the

corresponding authentication data and success of authentication is attained, the

invalidation data associated with the second user, who the partner to whom the

corresponding authenticated user transfers the points, whereby canceling the

prohibition of the transfer of points shown by the corresponding invalidation data, etc.

Applicant is required to submit an amendment which clarifies the disclosure so

that the examiner may make a proper comparison of the invention with the prior art.

Applicant should be careful not to introduce any new matter into the

disclosure (i.e., matter which is not supported by the disclosure as originally

filed).

The Examiner has attempted to understand the specification and has provided

the following rejection with best of his understanding of the invention.

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Particularly;

Claim 1 – "from an outer section ', "invalidation data representing that the points

shown by the corresponding second point data are prohibited from being transferred so

as to store the corresponding second point data and the corresponding invalidation data

onto the storage area of said memory to be associated with each other", and "changes

or erases said invalidation data when said validation data supplied to the outer section

is supplied to the processor, whereby canceling the prohibition of the transfer of points

shown by said invalidation data".

Claim 2 - "generates and outputs inquiry data"

Claims 3-7 - In general all claims are written are vague and seem they are

translation of foreign language which render the claims vague. Proper action should be

taken to correct the limitation with patentable subject matter in clear defined language.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Postrel (US 20070130011).

Re. Claim 1, Postrel discloses memory for storing (server inherent memory) first point

data representing points given to a first user onto a storage area of said memory and a

processor, wherein said processor obtains, from an outer section, transferor

specification data that specifies said first user, transferee specification data that

specifies a second user, and transfer amount data representing points to be transferred

to said second user from said first user [read entire document particularly - Abstract;

paragraphs 02, 04, 12, 16, 27-33, 55; claim 1 - see (holding, increasing or decreasing a user's earned rewards and transfer points)];

updates [paragraph 37] said first point data stored in said memory in such a way that the points given to said first user specified by said obtained transferor specification data are reduced by an amount corresponding to the points shown by said obtained transfer amount data [02, 04, 12, 16, 27-33, 55; claim 1 – see credit and debit];

generates validation data to cancel the prohibition of the transfer of points shown by the second point data associated with said invalidation data so as to supply said generated validation data to a supply source of said transferor specification data; and

changes or erases said invalidation data when said validation data supplied to the outer section is supplied to the processor, whereby canceling the prohibition of the transfer of points shown by said invalidation data.

Postrel *does not explicitly disclose* generates second point data representing that the points shown by said obtained transfer amount data are given to said second user and invalidation data representing that the points shown by the corresponding second point data are prohibited from being transferred so as to store the corresponding second point data and the corresponding invalidation data onto the storage area of said memory to be associated with each other; and generates validation data to cancel the prohibition of the transfer of points shown by the second point data associated with said invalidation data so as to supply. However, in banking transferring funds from one account to other is will-known where the system during transferring fund marks the transfer amount an on hold until it the settlement of account (3 to week), credits one account and debits the

other and the transferred fund can not use the fund for that period of time. For example, a employee deposits its payment check, the depositor bank receipt generally reads "available fund" and balance, where the difference is the amount of deposit check. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Postrel and include above steps to avoid double usage and fraud.

Re. Claims 2-7, Postrel discloses wherein said processor generates and outputs inquiry data and stores the corresponding inquiry data onto the storage area of said memory to be associated with said second point data, said invalidation data, said first user, and said second user; and supplies at lease some of said second point data associated with the corresponding inquiry data, said invalidation data, said data representing said first user and said data representing said second data to the supply source of the corresponding inquiry data when said inquiry data is supplied to said processor; wherein when said inquiry data and cancellation data representing the cancellation of the transfer of points shown by said second point data are supplied to said processor, said processor changes or erases said invalidation data associated with said inquiry data in response to said cancellation data, and updates said first point data in such a way that the points given to the first user specified by said transferor specification data are increased within the range of the amount corresponding to the points shown by said second point data, whereby canceling the transfer of the corresponding points; wherein said transferee specification data represents e-mail address for said second user;

wherein said memory stores said second point data to be associated with second

identification data that identifies said second user, said transfer notification data

includes said second identification data, said processor maintains the prohibition of the

transfer of points shown by the second point data associated with said second

identification data regardless of whether or not said validation data is supplied to said

processor until said second identification data is supplied to said processor from the

outer section; and wherein when said second identification data and transferee

cancellation data representing the cancellation of reception of points shown by said

second point data are supplied to said processor, said processor changes or erases

said invalidation data in response to the corresponding transferee cancellation data and

updates said first point data in such a way that the points given to the first user specified

by said transferor specification data are increased within the range of the amount

corresponding to the points shown by said second point data, whereby canceling the

transfer of the corresponding points; wherein said processor generates data

representing a web page for confirming that said second user transfers the points, and

outputs data representing the corresponding web page to browse the corresponding

web page (see paragraph 5) when URL (Uniform Resource Locator) that specifies the

corresponding web page is supplied from the outer section, said transfer notification

data includes URL that specifies said web page, and said processor maintains the

prohibition of the transfer of points shown by the second point data associated with said

second identification data regardless of whether or not said validation data is supplied to

said processor until the data representing said web page is output to the outer section

[Abstract; paragraphs 02, 04, 12, 16, 27-33, 55; claim 1].

Postrel *does not explicitly disclose* and said processor transmits e-mail including

transfer notification data representing that said second user receives the transfer of

points with respect to the e-mail address shown by said transferee specification data.

However, this step is will-known where settlement is notified to the transferor and

transferee using statement and current banks are using email notifications. It would

have been obvious at the time the invention was made to a person having ordinary skill

in the art to modify the disclosure of Postrel and include transmits e-mail including

transfer notification data representing that said second user receives the transfer of

points with respect to the e-mail address shown by said transferee specification data to

notify transferor and transferee using paperless technology via internet.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Harish T. Dass whose telephone number is 571-272-

6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass   *Harish T Dass*
Examiner
Art Unit 3693

7/7/07